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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Bolivia (Plurinational State of), Cuba, Ecuador, Nicaragua, Russian Federation, Syrian Arab Republic and Venezuela (Bolivarian Republic of): draft resolution

Decision of the Special Committee of 19 June 2017 concerning Puerto Rico

The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Bearing in mind the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Considering that more than half of the period 2011–2020, proclaimed by the General Assembly, in its resolution 65/119, of 10 December 2010, as the Third International Decade for the Eradication of Colonialism, has been reached,

Bearing in mind the 36 resolutions and decisions adopted since 1972 by the Special Committee on the question of Puerto Rico contained in the reports of the Special Committee to the General Assembly, in particular those adopted without a vote in recent years,

Recalling that 25 July 2018 marks the 120th anniversary of the intervention in Puerto Rico by the United States of America,

Noting with concern that, despite the rejection expressed by the majority of the Puerto Rican people on 6 November 2012 of their current status of political subordination, the political representatives of Puerto Rico and the United States have failed to set in motion a decolonization process that beings in Puerto Rico, in compliance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee on Puerto Rico,

Noting that the consultation undertaken by the Government of Puerto Rico on 11 June 2017, in which, as reported by the Puerto Rico State Elections Commission, less than 23 per cent of voters participated, was not designed to promote decolonization in accordance with General Assembly resolution 1514 (XV),

Noting with concern that the present political subordination of the Puerto Rican people impedes sovereign decision-making regarding the humanitarian crisis caused by the effects of Hurricanes Irma and Maria, which have aggravated the already serious economic and social problems, resulting in increased levels of poverty in Puerto Rico from 45 per cent to around 60 per cent of the population, which has caused mass migration and seriously affected efforts to achieve sustainable economic development,

Also noting with concern that the United States Congress, invoking thereby its plenary powers under the Territorial Clause of the United States Constitution, imposed in June 2016 a Financial Oversight and Management Board for Puerto Rico (Fiscal Supervisory Board), appointed by the President of the United States to exercise plenary control powers over the elected executive and legislative officials of the Government of Puerto Rico in all issues relating to fiscal, economic and budgetary matters, as well as all that concerns the restructuring of the public debt of Puerto Rico, all of which aggravates the colonial situation in the country,

Noting that the Supreme Court of the United States, in conformity with the request made by the Department of Justice, decided in June 2016 in the case of *Puerto Rico v. Sánchez Valle*, that the original and ultimate source of governmental power in Puerto Rico lies in the United States Congress, and that any limited concession of self-government to Puerto Rico may be unilaterally revoked by the United States Congress,

Stressing again the urgent need for the United States to lay the groundwork for the full implementation of General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico,

Noting the declarations by the Heads of State and Government of the Community of Latin American and Caribbean States, the Bolivarian Alliance for the Peoples of Our America, the Non-Aligned Movement and the Council of the Socialist International, which reiterate the inalienable rights of the people of Puerto Rico in accordance with General Assembly resolution 1514 (XV), and which also reiterate the Latin American and Caribbean character of Puerto Rico and their support for the resolutions on Puerto Rico adopted by the Special Committee,

Noting also the debate in Puerto Rico on the search for a procedure that would enable the process of decolonization of Puerto Rico to begin, and aware of the principle that any initiative seeking a solution to the political status of Puerto Rico should originate from the people of Puerto Rico, and of the fact that, to date, several draft laws in favour of convening a constitutional assembly on status have been presented in Puerto Rico,

Further noting the concern of the people of Puerto Rico regarding violent actions, including repression and intimidation, against supporters of Puerto Rican independence, that have come to light through documents declassified by federal agencies of the United States,

Aware that Vieques Island (Puerto Rico) was used for over 60 years by the United States Marine Corps and naval forces to carry out military exercises, with negative consequences for the health of the population, the environment and the economic and social development of that Puerto Rican municipality,

Noting the consensus among the people and the Government of Puerto Rico on the need to clean up, decontaminate and return to the people of Puerto Rico of all the lands previously used for military exercises and installations, and use them for the social and economic development of Puerto Rico, as well as on the slowness of the process thus far,

Also noting the constant complaints made by the inhabitants of Vieques Island regarding the continued bombing and the use of open burning as a clean-up method, thereby exacerbating the existing health and pollution problems and endangering civilian lives,

Further noting that in the final document of the XVII Summit Conference of Heads of State and Government of the Non-Aligned Countries, held in Margarita Island (Bolivarian Republic of Venezuela), from 17 to 18 September 2016, and other meetings of the Non-Aligned Movement, the right of the people of Puerto Rico to self-determination and independence is reaffirmed under General Assembly resolution 1514 (XV), the Government of the United States is urged to assume its responsibility to expedite a process that will allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence and to return the territory and occupied installations on Vieques Island and at the Roosevelt Roads Naval Station to the Puerto Rican people, who constitute a Latin American and Caribbean nation, and the General Assembly is urged to actively consider the question of Puerto Rico in all its aspects,

Having heard statements and accounts representative of various viewpoints among the people of Puerto Rico and their social institutions,

Having considered the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico,[1]

1. *Reaffirms* the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the applicability of the fundamental principles of that resolution to the question of Puerto Rico, and that the people of Puerto Rico constitutes a Latin American and Caribbean nation that has its own distinct national identity;

2. *Calls again* upon the Government of the United States of America to assume its responsibility to expedite a process that will enable the Puerto Rican people to fully exercise their inalienable right to self-determination and independence, in accordance and in full compliance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico, and to take decisions, in a sovereign manner, to address their urgent economic and social needs, including unemployment, marginalization, insolvency and poverty, and the problems related to education and health, which have been aggravated by the ravages of Hurricanes Irma and Maria;

3. *Notes with concern* that, by virtue of the decision of the United States Congress, under the Puerto Rico Oversight, Management and Economic Stability Act (PROMESA) which creates the Financial Oversight and Management Board, the already weakened area in which the prevailing regime of political and economic subordination in Puerto Rico operates is reduced any further;

4. *Notes* the broad support of eminent persons, governments and political forces in Latin America and the Caribbean for the independence of Puerto Rico;

5. *Again notes* the debate in Puerto Rico on the implementation of a mechanism that would ensure the full participation of representatives of all sectors of Puerto Rican public opinion, including a constitutional assembly on status with a basis in the decolonization alternatives recognized in international law, and aware of the principle that any initiative seeking a solution to the political status of Puerto Rico should originate from the people of Puerto Rico;

[1] A/AC.109/2018/L.13.

6. *Expresses serious concern* over the actions carried out against supporters of Puerto Rican independence, and encourages the investigation of those actions with the necessary rigor and with the cooperation of the relevant authorities;

7. *Requests* the General Assembly to consider the question of Puerto Rico comprehensively and in all its aspects, and to decide on this issue as soon as possible;

8. *Urges* the Government of the United States, in line with the need to guarantee the legitimate right of the Puerto Rican people to self-determination and the protection of their human rights, to complete the return of all lands occupied by its military forces in Puerto Rico territory, in particular installations on Vieques Island and in Ceiba, to the people of Puerto Rico, respect fundamental human rights, such as the right to health and economic development, and expedite and cover the costs of the process of cleaning up and decontaminating the areas previously used in military exercises through means that do not continue to worsen the serious consequences of its military activity in order to protect the health of the inhabitants of Vieques Island and the environment;

9. *Notes with satisfaction* the report prepared by the Rapporteur of the Special Committee, in compliance with its resolution of 19 June 2017;[1]

10. *Requests* the Rapporteur to report in 2018 on the implementation of the present resolution, including new developments relevant to a process of decolonization of Puerto Rico, in accordance with resolution 1514 (XV);

11. *Decides* to keep the question of Puerto Rico under continuous review.